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REMARKS / DISCUSSION OF ISSUES

Applicant has carefully reviewed and considered the Office Action mailed on December 1, 2008, and the references cited therewith.

Claims 1-12 and 14 are pending in the application.

35 USC§101 Rejection of the Claims

The non final Office action rejects claims 1-8 under 35 U.S.C. §101.

In accordance with the Examiner's helpful suggestions, independent claim 1 now recites interface means and processing means, and therefore comply with 35 U.S.C. §101. Support for the amendments can be found in page 6, lines 4-10 and FIG. 1. It can be seen that in FIG. 1, interface means "22", processing means "23", feedback means "27", quality testing means "26", memory means "24", and loud speaker "25" are shown as hardware components. Claims 2-8 are also allowable at least because they each depend directly or indirectly from amended independent claim 1, which is allowable as explained above. Accordingly, withdrawal of the 35 U.S.C. §101 rejection of claims 1-8 is respectfully requested.

35 USC§103 Rejection of the Claims

The non final Office action rejects claims 1-14 under 35 U.S.C. §103(a) over Hendrickson et al (6,745,011) (Hereinafter Hendrickson) in view of Lee et al. (7,171,157) (Hereinafter Lee).

Applicant respectfully traverses this rejection. As explained below, claims 1-12 and 14 are patentable under 35 U.S.C. §103(a) over the cited references.

Hendrickson describes "**systems and methods for measuring wireless device and wireless network usage and performance metrics**". Further, Hendrickson, in col. 5, lines 45-52, describes "The embodiment includes a system for measuring wireless device and wireless network usage and performance metrics. A

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plurality of wireless devices 100 are shown with **data gathering software 110 installed on each wireless device** 100. **Data gathered by the data gathering software 110 is transmitted via a wireless link 130 to a control center** 120". Furthermore, Hendrickson, in col. 9, lines 40-47, describes "**collecting all data relating to location such as longitude, latitude, GPS data, time stamp, and date stamp.** The collected data can be referenced back to wireless device 100 events and statistics". In addition, Hendrickson, in col. 10, lines 13-49, describes "TDSM 260 monitors and collects information from the network and device parameters" and "DTM 270 sends information collected by the data gathering software 110 to the control center 120". In addition, Hendrickson, in col. 14, line 54 – col. 15, line 30, describes "an object of the invention to **collect quality of service (QOS) data as well. According to the invention, QOS data may be captured by monitoring network parametric data and device parametric data based on the activities of the panel users**" and "data collected and processed via the data warehouse/mining application may yield reports on how the networks and devices are performing based on specific user event driven activities".

Lee describes "**system for monitoring and testing network elements**". Further, Lee, in col. 4, line 50 - col. 5, line 20, describes "**The ASD measures and analyzes, preferably in real time, radio environment and qualities of services** provided by the carrier at the area where an associated small-size network element", "**The ASMS may also control the respective elements based on data gathered from the ASDs**", and "**The ASDs and the ASMS communicate the messages associated with network element monitoring and testing to each other using short message service centers (SMSCs) 60 and inter-working units** (IWUs) 70 belonging to the telecommunication carrier". Furthermore, Lee, in col. 6, lines 17-34, describes "The ASMS, periodically or by administrator's request, receives the service quality data and call connection/connection maintenance test result data collected by the ASD, and displays the conditions of all the elements distributed in the network through the GUI".

In contrast, amended independent claims 1 and 9 recite **retrieval of the**

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information data from one of the information servers identified by data network addresses, reception of the retrieved information data from the information server, testing of the quality of the received information data and outputting of quality information, and feedback information is output to one of the information servers, wherein the feedback information contains the quality information and connection information identifying the link between the receiver and the data network for a receiver connected in a data network. Support for the amendment to claim 1 can be found in page 6, lines 4-10.

Further, in contrast, amended independent claim 12 recites "interface means for receiving query information from a receiver for retrieving the overview information and transmitting the stored overview information to the retrieving receiver", "memory means for storing the overview information", "processing means for evaluating the received feedback information and outputting fault report information which identifies those parts of the data network which are responsible for poor quality information data received by the receivers", and "interface means are designed to receive feedback information containing quality information and connection information, wherein the quality information identifies the quality of the information data received by the receiver from one of the information servers and the connection information identifies the link between the receiver and the data network" in "overview information server for outputting overview information to a receiver connected over a data network". Support for the language and amendment can be found in page 5, lines 26-31and page 8, lines 10-20 and canceled claim 13.

Applicant respectfully asserts that a combination of Hendrickson and Lee references fail to support a *prima facie* case of obviousness because, the cited references in combination fail to teach or suggest all of the elements of the Applicant's invention, such as retrieval of the information data from one of the information servers identified by data network addresses, reception of the retrieved information data from the information server, testing of the quality of the received information data and outputting of quality information, and

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feedback information is output to one of the information servers, wherein the feedback information contains the quality information and connection information identifying the link between the receiver and the data network for a receiver connected in a data network.

Further, Applicant respectfully asserts that a combination of Hendrickson and Lee references fail to support a ***prima facie*** case of obviousness because, the cited references in combination fail to teach or suggest all of the elements of the Applicant's invention, such as **"interface means for receiving query information from a receiver for retrieving the overview information and transmitting the stored overview information to the retrieving receiver", "memory means for storing the overview information", "processing means for evaluating the received feedback information and outputting fault report information which identifies those parts of the data network which are responsible for poor quality information data received by the receivers", and "interface means are designed to receive feedback information containing quality information and connection information, wherein the quality information identifies the quality of the information data received by the receiver from one of the information servers and the connection information identifies the link between the receiver and the data network" in "overview information server for outputting overview information to a receiver connected over a data network".**

For at least the above reasons, independent claims 1, 9, and 12 and respective dependent claims 2-8, 10, 11, and 14, are patentable over the cited references. Accordingly, withdrawal of the 35 U.S.C. §103(a) rejection of claim 1-12 and 14 is respectfully requested.

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In view of the foregoing, applicant respectfully requests that the Examiner withdraw the objections and/or rejections of record, allow all the pending claims, and find the application in condition for allowance. If any points remain in issue that may best be resolved through a personal or telephonic interview, the Examiner is respectfully requested to contact the Applicant's attorney Eric Bram (Senior IP Counsel, Philips Intellectual Property and Standards, 345 Scarborough Road, Briarcliff Manor, NY 10510-8001) at 914-333-9635.

Respectfully submitted,

By their Representatives,

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